

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

**August 27, 2009
5:30 P.M.**

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Michael Kelly (W2), George Rabideau (W3), Jim Calnon (W4), Amy Valentine (W5), Chris Jackson (W6)

Absent: None

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: that the Minutes of the regular meeting of the Common Council held on August 20, 2009 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Kelly

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending August 26, 2009 in the amount of \$247,136.05 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Calnon; Seconded by Councilor Jackson

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of August 20-26, 2009
- Report from the Building Inspector's Office from April 7- August 24, 2009

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Rabideau; Seconded by Councilor Valentine

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$2,133,071.55 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Angela Janet of 13 Set Point thanked the Council and Mayor for of improving the quality of life everyone's life at 460 Margaret Street and the surrounding area. Also Ms. Janet is grateful for Amy Valentine spending time with the residents at Set Point.

7. OTHER ITEMS

A. Local Law P4 of 2009; AMENDING CITY CHARTER §C2-3B TO CHANGE TERM LIMITS FROM EIGHT TO NINE YEARS, the entire text of which has been distributed to and read by the members of the Common Council is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Jackson; Second by Councilor Kelly
Discussion:

Councilor Jackson said this will become permanent if it passes by the residents of the City in the November vote.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. Local Law P5 of 2009; AMENDING CITY CHARTER §C4-1 REGARDING COMPENSATION OF MAYOR PRO TEMP WHILE ACTING MAYOR, the entire text of which has been distributed to and read by the members of the Common Council is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Calnon; Second by Councilor Jackson
Discussion:

Councilor Calnon said that New York State laws will not allow someone to vote on something that will affect their own individual compensation. This law will not currently benefit him because it is made within the same term. Calnon said it's really about fixing a problem that occurred in the last Council when Mayor Pro Temp Drew was acting mayor for an extensive period of time. He put in great service without compensation.

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. Local Law P6 of 2009; AMENDING CITY CHARTER §C4-1 TO PROVIDE FOR HOW ABSENCES AND ABSTENTIONS SHALL BE COUNTED IN VOTING AND VOTING REQUIREMENTS, the entire text of which has been distributed to and read by the members of the Common Council is hereby enacted without the reading thereof and a copy of said local law is made part of the minutes of this meeting.

By Councilor Jackson; Second by Councilor Valentine

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves MLD to write-off unpaid final bills from September 1-30, 2008 in the amount of \$2,696.23

By Councilor Kelly; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves MLD to advertise for PMLD Bid No. 2009-9-1 "Install & Calibrate Electrical Relays" at St. Lawrence 1 and Addoms Street Substations.

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves MLD to advertise for PMLD Bid No. 2009-9-2 "Electric Power Cables."

By Councilor Kelly; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves MLD to advertise for PMLD Bid No. 2009-9-3 “Wooden Utility Poles.”

By Councilor Kelly; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to sign an agreement with Camoin Associates to prepare a grant application to NYS Department of State for funding for a comprehensive community-wide vision and recommended action for the future in the total amount of \$2,500.00.

By Councilor Carpenter; Second by Councilor Kelly

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves the Mayor to sign Change Order No. 2 to Contract #2009-01 “Brinkerhoff Street Improvements, North Catherine Street Waterline Replacement” in the total amount of \$13,640.14.

By Councilor Rabideau; Second by Councilor Jackson

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. RESOLVED: In accordance with the request therefore the Common Council approves the Environmental Engineer to solicit bids for part of the work required to comply with DEC requirements for the closure of a former city owned landfill on Akey Road. The work is generally described as the construction of a trench around part of the landfill mass to intercept surface and groundwater.

By Councilor Jackson; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

8. TRAVEL REQUEST

A. RESOLVED: In accordance with the request therefore the Common Council approves Captain Michael Branch to attend the “Law Enforcement Training Directors of NYS Conference” in Saratoga Springs, NY from September 30 to October 2, 2009 at a cost not to exceed \$300.00 which will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves Officer Craig Hilchey and Officer Levi Ritter to attend the “Traffic Accident Reconstruction 1 & 2 Training” in Valhalla, NY from September 7-11, September 13-18, and September 20-25, 2009 at a cost not to exceed \$9,014.00 which will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Carpenter

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves Officer Robert Annis to attend the “State of New York Juvenile Officers Association Training Conference” in Lake George, NY from August 31 to September 4, 2009 at a cost not to exceed \$1,311.00 which will be paid out of the Asset Forfeiture Fund.

By Councilor Calnon; Second by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION

1. Request from the Battle of Plattsburgh Commemoration Committee to close the following

streets: City Hall Place, Trinity Square and lower Court Street on September 11th from 4 PM-9:30 PM, September 12th from 9 AM to 5:30 PM, and September 13th from 9 AM to 4 PM. Also to close for the parade on September 12th, Cumberland Avenue from North Margaret through City Hall Place to Bridge Street up Bridge Street to Margaret Street and south on Margaret Street to Broad Street from 1 PM to 2:30 PM.

2. Request from the City Chamberlain's office to consider the proposals submitted by the participating local banks to select and enter into a five year banking agreement.

10. NEW BUSINESS

Councilor Carpenter asked if there were any updates on 460 Margaret.

Mayor Kasprzak said the owner is complying with the time sensitive dates on repairs and investments. We can't do much until he doesn't comply.

Councilor Kelly said we received an email on July 15th from a man who has been trying to get a cat licensing ordinance in the City for a very long time and through several cycles of Mayors and Council. He also wrote on the 3rd of August that he didn't hear anything and the cats are still a problem.

Corporation Counsel Clute said he did get back to him and told him we couldn't do anything. Clute said he wanted trap them in his backyard and dispose of them but then there is a problem when someone's house pet gets caught. Clute said we don't have the resources to deal with this. Clute said the man was very nice about it and appreciate someone getting back to him.

Councilor Kelly said he has had half a dozen complaints in his ward. Felt like he owed it to the people in his ward to bring it here and discuss it. Best is to educated people not to feed stray cats.

Mayor Kasprzak said he has had a number of complaints and he went on site to abandoned houses and noticed that three quarters of the time there are cans of cat food from people who feel badly. Kasprzak said NYC has collect a cat neuter program and then they release them but the cost is too high.

Corporation Counsel Clute said there is no where to take them. The shelters are too full. Non one is going to adopt them because they are wild and tame less.

Councilor Carpenter said he finds it hard to believe that all the cats running around in Plattsburgh are being fed by people because they are at the top of their specific food chain. If we get rid of all the cats then those things that the cats are keeping in check on we would have to stop them. Carpenter doesn't see it as a plus to get rid of the cats.

10. CLOSING PUBLIC COMMENTS

None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Calnon

Roll call: Councilors Carpenter, Kelly, Rabideau, Calnon, Valentine, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 5:50 PM